

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re: Equifax Inc. Customer
Data Security Breach Litigation

MDL Docket No. 2800
No. 1:17-md-2800-TWT

CONSUMER ACTIONS

Chief Judge Thomas W. Thrash, Jr.

**PLAINTIFFS’ REPLY IN SUPPORT OF MOTION FOR
CLARIFICATION OF THIS COURT’S RULING ON
MOTION TO SUPPLEMENT THE RECORD**

Beyond continued rhetoric and threats, Frank and Watkins offer little in opposition to Plaintiffs’ request for clarification regarding the Court’s order to file the proposed final approval order prepared at the Court’s direction. The question posed by Plaintiffs was a simple one—did the Court intend to have Plaintiffs submit the proposed order in light of the Eleventh Circuit’s nearly simultaneous order rejecting the same relief Frank and Watkins’ sought in that court? Frank and Watkins do offer a simple solution to the question—they argue they can move for reconsideration of the Eleventh Circuit’s order denying their motion to supplement. *See* Doc. 1101 at 4 (explaining that if this Court determines the proposed order should not be filed in the district court “there will be a motion to reconsider the Rule 10(e)(2)(C) denial in the Eleventh Circuit.”). And, if the Eleventh Circuit believes

the proposed order is necessary for any issue on appeal, it can certainly order that it be submitted. However, because the Eleventh Circuit has determined—at least for now—that the proposed order is not necessary for any issue on appeal, and made that order nearly simultaneously with this court’s order, Plaintiffs wish to ensure it is meeting the Court’s intent as described in their motion to clarify.

CONCLUSION

For the foregoing reasons, Plaintiffs request clarification of the Court’s order (Doc. 1084) regarding whether the record should be supplemented in this Court.

Dated: May 14, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2020, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. Those counsel will be served by the ECF system.

I also certify that copies of the foregoing were served upon the following objector via electronic mail pursuant to agreement on May 8, 2020:

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I also certify that copies of the foregoing were served upon the following District Court objectors U.S. Mail (and electronic mail, where listed below) on May 1, 2020:

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